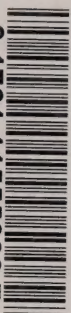


CA1
EP 150
-1986
P53

3 1761 1155033 7





PORT HOPE LOW-LEVEL RADIOACTIVE WASTE DISPOSAL

ENVIRONMENTAL ASSESSMENT PANEL

OPERATIONAL PROCEDURES*

1. INTRODUCTION

The following Operational Procedures have been developed by the Panel. They are intended to assist all those wishing to participate in the Panel's review by explaining how the Panel plans to conduct its review. The Operational Procedures may be amended or additional procedures developed by the Panel as required and such amendments or additions will be made public.

2. GENERAL REVIEW PRINCIPLES

- (a) The members of the Panel have been appointed by the federal Minister of the Environment and are independent of the proponent, the initiator and the possible intervenors in the review of this project. Names of the five Panel members are appended to this document.

* The definitions and explanations of various terms used in this text are given in Appendix A (attached).

(b) A Panel Secretariat has been established, composed of staff from the Federal Environmental Assessment Review Office (FEARO) and managed by the Executive Secretary. It will support the Panel by providing the following functions:

- i) Planning and administrative support to the Panel;
- ii) Acting as central contact point for the public, government agencies, technical experts to the Panel, and the proponent, in their dealings with the Panel.

The Executive Secretary of the Panel is:

Mr. Guy Riverin
Federal Environmental Assessment Review Office
13th Floor, Fontaine Building
200 Sacré-Coeur Blvd.
Hull, Quebec
K1A 0H3

Tel: (819) 997-2244

- (c) All information submitted to the Panel by Eldorado Resources Ltd. and Atomic Energy of Canada Ltd. (AECL) and other participants in the review will be available to the public.
- (d) Deliberations of the Panel are confidential to the Panel and its Secretariat. Panel members will not communicate in private to anyone except other Panel members and staff about any issue under consideration by the Panel.

- (e) The final report of the Panel will be submitted by the Panel to the Ministers of the Environment and of State for Mines and Forestry, who will make the report public. Copies will be available on request from the Federal Environmental Assessment Review Office.

3. PUBLIC FILE

- (a) The Executive Secretary shall maintain a file containing all notices and public documents issued by the Panel as well as written submissions and views of participants. The file shall be open for examination by the public at reasonable times and locations.
- (b) The Executive Secretary shall make copies of material in the file available to anyone on request.

4. PUBLIC REVIEW PROCESS

4.1 Administrators

The review is being carried out under the auspices of the Minister of the Environment, the Honourable Tom McMillan. The terms of reference established for the Panel are included in Appendix D.

The Panel is responsible for:

- (a) Conducting public scoping workshops to assist in identifying issues to be addressed in the review;
- (b) Establishing guidelines for the preparation of an Environmental Impact Statement (EIS);
- (c) Reviewing the EIS, soliciting public and government agency comment on the EIS and, if deemed necessary, asking the proponents for additional information;
- (d) Conducting information sessions and public hearings to discuss the EIS and other matters relating to the Panel's mandate; and
- (e) Preparing a report for the Minister of the Environment and the Minister of State for Mines and Forestry including the Panel's conclusions and recommendations.

4.2 Review Participants

Participants will include the proponents, government agencies, professional organizations, special interest groups, the academic community, and individual members of the public. Opportunities for participation are outlined in greater detail below. However, comments can be forwarded to the Panel's attention at any time up until the end of the final public hearings by contacting the Secretariat.

4.3 Technical Specialists

- (a) The Panel may retain the services of specialists to provide advice on certain technical subjects that may be raised throughout the public review process.
- (b) These persons will be resource people and will provide opinions on certain issues as assigned by the Panel.
- (c) The availability of these specialists will be publicly announced and their advice may be requested by any review participant through the Panel secretariat.
- (d) All reports and opinions of such specialists will be available to the public.

5. PUBLIC REVIEW STAGES

5.1 Public Scoping Workshops

At the initial stage of the review, participants are invited to assist the Panel in identifying the main subjects to be addressed in the EIS by participating in scoping workshops. This will also provide an opportunity for the public to learn about the environmental assessment review process and the proposal.

The main purpose of the public scoping workshops is to assist the Panel in identifying subjects considered to be important by the participants in the review. The Panel's decisions in this regard will be reflected in Guidelines for the preparation of the EIS.

The Panel Secretariat will organize "open houses" in communities located in the vicinity of the proposed project in advance of the "Scoping Workshops". These will take the form of informal "drop in" centres and are intended to provide an initial opportunity for the public to learn about the background to the proposal, the sequence of activities to be undertaken in the course of the review process, and to bring to the attention of the Secretariat any subject individuals consider important to be examined in the review.

The dates and locations of the events, as well as further procedural details, will be announced in the media.

5.2 Review of the Draft EIS Guidelines

- (a) Following the Scoping Workshops, the Panel will prepare draft EIS guidelines and will make them available to the public. Participants will be invited to provide written comments on the draft guidelines within 30 days.
- (b) After the 30 day period, the Panel will finalize the EIS Guidelines and issue them to Eldorado Resources Limited and Atomic Energy of Canada Limited for their use in the preparation of the EIS.

- (c) The final EIS Guidelines, as well as a compendium of comments received on the "Draft Guidelines", will be placed on the public file. Those who provide comments will be sent copies of both as soon as they are issued.

5.3 Review of Proponents' Environmental Impact Statement (EIS) and Preparation for Public Hearings

- (a) Upon receipt of a sufficient number of copies of the EIS and its summary, the Panel will ensure their distribution or availability. The EIS will be placed in viewing centers, e.g. public libraries, information centers, municipal offices, etc. Copies of the EIS will also be available in limited numbers for those who plan to comment on it or who require it in order to make a presentation to the Panel. The EIS summary will be more widely available.
- (b) A sixty day period will be allowed for review of the EIS beginning on the date of the initial distribution of the EIS. Written submissions to the Panel could include comments on the scientific quality of the EIS and whether it contains all the information necessary to hold public hearings on the project and its impacts.
- (c) Information sessions may be scheduled to provide an opportunity for the Panel, the public and government agencies to ask questions of clarification about the project and the EIS.

- (d) Based on the comments received from the reviewers, the results of the Information Sessions and its own review, the Panel will determine if the EIS is an acceptable document with which to proceed to the public hearings stage of the review. If the Panel is satisfied, dates for the public hearings will be announced. At the time of announcement, the Panel may request the proponent to clarify certain information. The proponents are required to respond to the request for clarification within one week prior to the commencement of the public hearings. If the Panel is not satisfied with the EIS, it will issue a deficiency statement to the proponents. This EIS Deficiency Statement will be made available to the public. If an EIS Deficiency Statement is issued, the public hearings will not be scheduled until the Panel has received a satisfactory response to the Deficiency Statement and the response has been made available to the public. A period of at least 30 days after the public distribution of the response to the Deficiency Statement will be allowed for review of this additional material prior to the holding of public hearings.

5.4 Public Hearings

- (a) This document outlines the general nature of the hearings. The rules of procedures specific to the conduct of the public hearings, including an outline of the issues to be considered, will be published in advance by the Panel. The Chairman may arrange a pre-session conference in advance

of any public hearing to explain the procedures for the public hearings and to finalize agendas and schedules.

- (b) The purpose of the public hearings is to receive comments from review participants on the proposal, its impacts and remedial measures as outlined in the EIS and other related documents.
- (c) The dates and locations will be publicized by the Panel at least 21 days in advance.
- (d) Hearings may, at the Panel's discretion, include either general, technical or community sessions.
- (e) At the general sessions, formal presentations and discussions can include various issues and concerns of general interest related to the proposal. Depending on the issues identified, the Panel may schedule technical sessions for structured discussion of specific subjects so that all parties can plan to have their appropriate experts present. At the Panel's discretion, presentations on and discussions of issues outside the Panel's mandate may be limited by the Panel Chairman.
- (f) Public hearings will be non judicial but structured in nature and will be conducted in a non-confrontational manner; participants are not required to have legal counsel present.

- (g) Those wishing to make formal presentations at general or technical sessions should advise the Panel Secretariat in advance of the sessions. Time may be set aside by the Panel at the end of each session for unscheduled presentations but preference will be given to those who have previously advised the Secretariat of their intention to speak.
- (h) Transcripts will be made of general and technical sessions. Simultaneous translation services will be provided where such services are requested or deemed necessary by the Panel. Requests for such services should be made in advance of the hearings so that arrangements can be made.
- (i) Community sessions (with less structured procedures) may be scheduled if needed to allow additional opportunities for presentation and discussion by residents of local municipalities. Presentations by persons from outside the community of concern will be discouraged unless they are specifically invited by that community. Transcripts will be made and will be available to review participants from the Panel secretariat.

APPENDIX A

DEFINITION OF TERMS

Project (or Proposal)

The project includes the development of a low level radioactive waste disposal facility to receive approximately 660,000 m³ of wastes produced during 38 years of operation of radium and uranium refineries at Port Hope and currently placed in two waste management sites at Port Granby and Welcome. The facility will also receive approximately 1,600 m³ per annum of wastes occurring from Eldorado's Port Hope operations, as well as 150,000 m³ of historic wastes in Port Hope which is the responsibility of Atomic Energy of Canada Ltd. The Panel will review plans for the design, construction and operation of at least two site-specific disposal options as well as the closure of the two existing sites. Excavation and transportation of wastes are also part of the proposal.

Proponent

The proponents are: Eldorado Resources Ltd., the company responsible for developing the low-level radioactive waste disposal facility, and for removing existing wastes at the Port Granby and Welcome sites; and Atomic Energy of Canada Limited, the company responsible for cleaning up the historic waste sites in Port Hope and delivering them to the waste disposal facility.

Panel

The Environmental Assessment Panel was appointed by the federal Minister of the Environment to review the proposal to develop a low level radioactive waste disposal facility.

Executive Secretary

This person, appointed by the Executive Chairman of the Federal Environmental Assessment Review Office (FEARO), is to assist the Panel in all administrative and logistical aspects of the review and to manage the Secretariat.

Panel Secretariat

The Executive Secretary and others appointed by FEARO to assist the Panel constitute the Secretariat.

Initiator

The federal department or agency referring a proposal for an environmental assessment under the federal government's Environmental Assessment and Review Process (EARP) serves as initiator. In this case, the initiator is the Department of Energy, Mines and Resources.

Participants (or "Review Participants")

Participants include all persons, organizations and government agencies involved in the Panel review such as proponents, initiators, intervenors or those attending public scoping workshops, technical discussions and public meetings.

Public Hearings

Public hearings, which constitute consultation held by the Panel to discuss the project, could take the form of community sessions, general sessions or technical sessions. The public hearings are held once the Panel is satisfied that the information it has requested on the project and its impacts is adequate.

Community Sessions

Informal public hearings held by the Panel to hear the views of specific potentially affected communities are called community sessions.

General Sessions

These are public hearings held by the Panel to hear and discuss formal presentations from all review participants on various issues and concerns of general interest, i.e., involving impacts of a broadly applicable nature.

Technical Sessions

These are public hearings scheduled for discussion of specific technical issues.

Environmental Impact Statement

This is a documented assessment of the environmental and socio-economic consequences of the project that is prepared or procured by Eldorado Resources Limited and Atomic Energy of Canada Limited in accordance with guidelines established by the Panel.

Information Sessions

These are public meetings at which questions of clarification can be asked of the proponents on the project and on the EIS. These sessions are held between the publication of the EIS and the due date for receipt of written comments to assist participants in preparing for the public hearings to discuss the project.

Public Scoping Workshops

These are public meetings conducted by the Panel for all interested parties to identify and discuss subjects which should be considered in the EIS. Input from these workshops will assist the Panel in developing Guidelines for the preparation of the EIS.

Deficiency Statement

Upon receipt of the EIS, the Panel may issue a statement to the proponents which requests them to provide additional information prior to convening the public hearings.

APPENDIX B

PANEL MEMBERS

Mr. Raymond Robinson (Panel Chairman) is Executive Chairman of the Federal Environmental Assessment Review Office.

Ms. Audrey Armour is Assistant Professor of Environmental Studies at York University and a member of the Canadian Environmental Assessment Research Council.

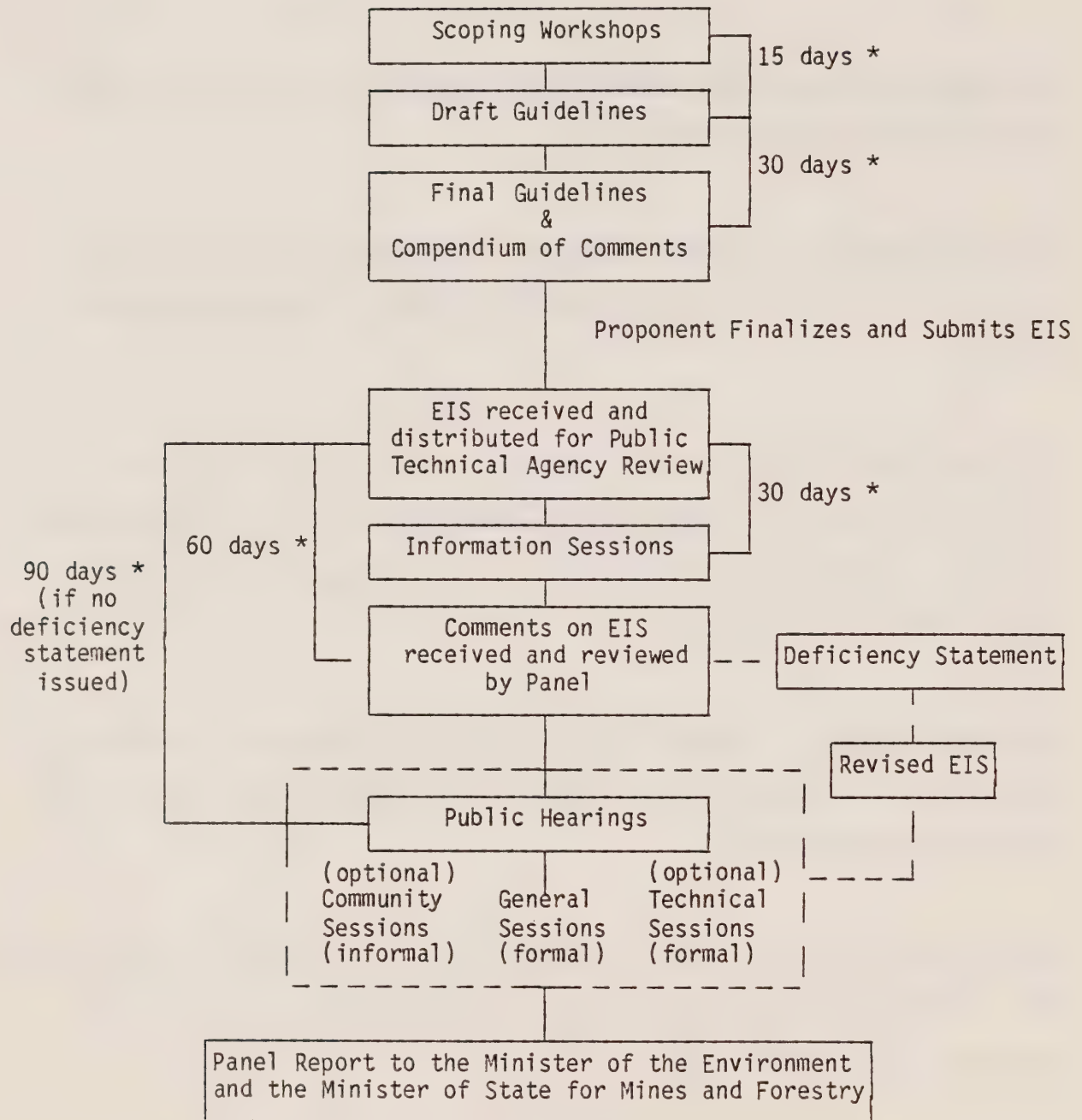
Dr. Peter Bird, now retired and a part-time consultant, is experienced in the field of radiation protection and was a member of an environmental assessment panel that reviewed Eldorado Resources Limited's proposal to construct a uranium refinery in the area.

Dr. Robert Gillham is a member of the Institute for Ground Water Research at the University of Waterloo and has expertise in hydrogeology, including the migration of contaminants.

Mr. William Harland is a senior executive engineer with Shawinigan Consultants Inc., and has broad experience in the excavation and placement of large quantities of earth and rock.

APPENDIX C

REVIEW FLOW CHART



* These timings indicate the approximate number of days required to pass from one stage of the review to the next.

APPENDIX D

TERMS OF REFERENCE FOR THE PORT HOPE AREA LOW-LEVEL RADIOACTIVE WASTE DISPOSAL ENVIRONMENTAL ASSESSMENT PANEL

INTRODUCTION

The Environmental Assessment Panel is to undertake a review of plans by Eldorado Resources Limited (Eldorado) and the Low Level Radioactive Waste Management Office of Atomic Energy of Canada Limited (AECL) to clean-up and dispose of the low-level radioactive wastes and soils currently located in the Port Hope area.

PROJECT PROPOSAL

In response to Atomic Energy Control Board's directive of 1980 to Eldorado to decommission their Port Granby waste management site, Eldorado plans to develop a disposal facility to accept some 660,000 m³ of low-level radioactive wastes and soils located in the Port Hope area. Most of the wastes were produced during 38 years of operation of radium and uranium refineries at Port Hope and contain naturally-occurring radioactivity, as distinct from low-level wastes produced in nuclear power stations which contain man-made or non naturally occurring radioactivity. The facility would also receive some material stored at the company's property in Port Hope and an estimated 1,600 m³ per annum of wastes arising from Eldorado's Port Hope operations.

The present material in the Eldorado waste management sites at Welcome and Port Granby would be removed and placed in the new disposal facility. The land would then be restored to a suitable condition in keeping with the surrounding land-use. In addition, some 150,000 m³ of historic material in Port Hope which is the responsibility of AECL, on behalf of the federal government, would be identified, collected, and similarly placed in Eldorado's facility with the cleaned up sites being returned to a suitable state.

MANDATE AND RELATED RESPONSIBILITIES

The Panel will review plans for the design, construction, operation and closure of at least two site-specific disposal options to contain approximately 800,000 m³ of wastes and soils as presented by Eldorado. Plans for the excavation, transportation and placement of wastes for each of these options will also be reviewed. The general mandate of the Panel is to:

- (i) receive specific evidence on the environmental, and directly related socio-economic and safety factors related to each of the options;
- (ii) comment on the effectiveness of each of the options in responding to the overall objectives of the government policy on the management of low-level radioactive wastes and identify for the Ministers any additional mitigating measures which may be feasible in the context of the proposed systems;
- (iii) advise the Minister of the Environment and the Minister of State (Mines) on its views as to the acceptability of each of the proposals with respect to the environmental and directly-related socio-economic and safety implications, and relevant terms and conditions.

Under the federal government policy, producers are responsible for proposing and implementing waste disposal. The Panel is responsible for examining the proposals, not the process leading to the selection of the individual options.

The Government of Canada is responsible for deciding whether or not to proceed with one of the options and, if so, under what conditions. Thus, the Panel is not to rank the proposed options, but rather to make recommendations on each one as a unique proposal.

Canada's national energy policy, the role of nuclear energy within that policy, are not issues which fall within the mandate of the Panel. Regarding the nuclear fuel cycle, the Panel will consider those wastes and soils currently located in the Port Hope area and future wastes produced locally by Eldorado. Economic offsets or benefits arising from the project may be negotiated between local municipalities and the proponents and such contractual matters are not within the purview of the Panel.

Through the Atomic Energy Control Act, the Atomic Energy Control Board (AECB) is responsible for the comprehensive regulation of all undertakings which involve the development, application and use of atomic energy. In this capacity, the AECB consults with other federal and provincial regulatory agencies that have responsibilities in this area. Any facility for the disposal of this type of low-level radioactive waste will therefore operate under licence from the AECB which must be satisfied, prior to licensing, that the proposed action will result in no unacceptable hazard to man or his environment. The proposed review by an environmental assessment panel in no way reduces the AECB's responsibility but the AECB must consider the Panel's report in exercising its regulatory responsibilities.

SCOPE OF THE REVIEW

The scope of the review should include:

- (1) the need for disposal of the low-level radioactive wastes and soils located in the Port Hope area;
- (2) the nature, composition, and location of the low-level radioactive wastes and soils;
- (3) the proposed geological and engineering methodology of disposal;
- (4) the safety and environmental implications involved in excavation of wastes and soils from present locations and transportation to the proposed sites;
- (5) the safety and environmental implications of a disposal facility in the near and long term;
- (6) the directly-related socio-economic implications of a disposal facility at the proposed sites and associated waste transportation requirements which could include, for example, any changes in business activity, employment, population, land use and community services in the nearby area;
- (7) additional means to address safety, environmental, and directly-related socio-economic implications of the proposals.

REVIEW PROCESS

The review process should include the following:

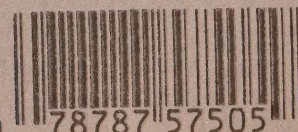
- (1) a public scoping exercise to identify the priority issues to be addressed in the review;
- (2) issuance by the Panel of guidelines for the preparation by the proponents of an Environmental Impact Statement (EIS);
- (3) distribution of the EIS by the Panel to the public and government agencies for review and comment;
- (4) a request by the Panel to the proponents for more information, if necessary, following review of the EIS;
- (5) public meetings conducted by the Panel to receive input on matters relevant to the Panel's mandate;
- (6) preparation of a report by the Panel to the Minister of the Environment and the Minister of State (Mines) within six months of the submission of the proponents' EIS.

Amberg®

ESSELTE

57505

MADE IN U.S.A.



0 78787 57505 9